

EXTRAORDINARY SESSION
JOURNAL OF THE SENATE

MONDAY, JUNE 15, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, June 12, 1931.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of June 12 was corrected, and as corrected was approved.

REPORTS OF COMMITTEES

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., June 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:
Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 34-X:

A bill to be entitled An Act to raise revenue and to levy an excise tax upon cigars, tobacco, cigarettes, candy, ammunition, playing cards, malt, or other cereal extracts, bottled soft drinks, fountain syrup, admission to places of amusement, perfumes, cosmetics, sporting goods, club dues, jewelry, chewing gum, music and musical instruments.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

ALFRED H. WAGG,

Chairman of Committee.

And Senate Bill No. 34-X, contained in the above report, was placed on the table under the rule.

Also—

Senator Johns, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, Fla., June 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:
Your Committee on Judiciary, to whom was referred:

Senate Bill No. 47-X:

A bill to be entitled An Act to provide a simplified method for allowing and disallowing claims for preference in the distribution of the assets of insolvent banking institutions in the State of Florida, and providing for a form of judicial proceedings for adjudicating and determining the same, and making the provisions of this Act relative to judicial proceedings applicable to the determination of all claims for preference which are not in actual litigation at the time this Act takes effect.

And—

Senate Bill No. 48-X:

A bill to be entitled An Act to amend Sections 4510, 4512 and Paragraph 8 of Section 4514 of the Revised General Statutes of Florida as amended by Chapter 9144, Chapter 10097 and Chapter 14544 of the Laws of Florida, relating to the organization, management and cooperation of agricultural, vitacultural and horticultural non-profit co-operative associations.

And—

Senate Bill No. 66-X:

A bill to be entitled An Act to amend Chapter 5194 of the

Laws of Florida entitled "An Act to prohibit the fraudulent use and wilful waste of electricity, gas or water, and the fraudulent or wilful tampering with or injury of meters intended to measure electricity, gas or water.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bills No's. 47-X, 48-X and 66-X, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

Senator Johns, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, Fla., June 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:
Your Committee on Judiciary, to whom was referred:

Senate Bill No. 49-X:

A bill to be entitled An Act to amend Sections 1 and 2 of Chapter 2065, Laws of Florida, Acts of 1875, the same being Section 5792 and 5793 of the Compiled General Laws of Florida, 1927, relating to the exemption of the personal earnings of heads of families from garnishment, to provide for the garnishment of twenty-five per cent of such earnings.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bill No. 49-X, contained in the above report, was placed on the Calendar of Bills on second reading.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By a two-thirds vote, permission was given to Senator Bradshaw, to introduce and have considered the following bill:

Senate Bill No. 78-X:

A bill to be entitled An Act granting a pension to Mrs. J. A. Ireland of Jennings, Florida.

Which was read the first time by its title only.

Senator Bradshaw moved that the rules be waived and Senate Bill No. 78-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78-X was read a second time in full. Senator Bradshaw moved that the rules be further waived and Senate Bill No. 78-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, Futch, Gary, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Knabb, Lewis, Parker, Taylor, Turner, Wagg, Young—27.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By a two-thirds vote, permission was given to Senator Bradshaw to introduce and have considered the following bill:

Senate Bill No. 79-X:

A bill to be entitled An Act to grant a pension to A. H. Hogans, Sr., of Hamilton County, Florida.

Which was read the first time by its title only.

Senator Bradshaw moved that the rules be waived and Senate Bill No. 79-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79-X was read a second time in full. Senator Bradshaw moved that the rules be further waived and Senate Bill No. 79-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Council, Dell, Futch, Gary, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Knabb, Lewis, Parker, Parrish, Taylor, Turner, Wagg, Young—27.

Nays—Senator Anderson—1.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By a two-thirds vote, permission was given to Senator Stewart to introduce and have considered the following bill:

Senate Bill No. 80-X:

A bill to be entitled An Act to authorize and empower the City of Fernandina in the State of Florida to impose and enforce alternative sentences of fines or labor against persons convicted in the municipal court of said city, and to authorize said city to work its convicts on the streets of said city or lease them to any County in the State of Florida.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

Senator Young moved that the rules be waived and the Senate do now take up the consideration of messages from the Governor.

Which was agreed to by a two-thirds vote.

And it was so ordered.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 10, 1931.

Honorable Pat Whitaker,
President of the Senate,
Tallahassee, Florida.

Dear Sir:

Seven bills of a general nature affecting the State's lands were presented to the Legislature at its regular session, which failed to become law by reason of the congested condition of legislative calendars. These bills are important State measures, as follows:

"A" The Constitution of the State of Florida provides, among other things, that "25 percent of the sales of public lands which are now or may hereafter be owned by the State," shall be paid into the State school fund. The Constitutional provision makes no reference to proceeds from lease or rent of lands or from sale royalty, lease, or rent of products in, on or under such lands. There are now upon the statute books twelve laws in respect to disposition of proceeds from State lands. These legislative Acts provide for several different dispositions of the proceeds from State lands or their products. The many classes of land, products in, on or under the same, with wide differences as to the status of some and indistinguishable differences as to the status of others, the varying provisions in reference to expense in the handling of such lands, all make the carrying out of these laws in the disposition of proceeds difficult and are a source from which confusion is well nigh inevitable. In order to simplify the procedure in making disposition of funds derived from State lands, for complying strictly with the constitutional provision relating thereto, and as being advantageous to the State school fund, a law of general application should be passed providing for the uniform disposition of such proceeds at the rate of 25 per cent to the said State school fund, not only from the sale of such lands as the Constitution requires, but also from the sale, royalty, rental or lease of all products in, on or under the same, together with a clear definition in reference to the expense of handling such land.

"B" The State of Florida is the owner of approximately One Million acres of land throughout the State known as swamp and overflowed lands. The State owns in its sovereign capacity extensive land areas, together with other comparatively small holdings of lands according to their designation. These lands in many cases have been subjected to taxes of various kinds for various purposes. Taxes of a general nature should not be levied upon the public lands, but special assess-

ments for special purposes may be properly assessable under certain conditions, as is the case with drainage districts which result in the improvement of the actual physical condition of the lands through the removal of water therefrom and the making of them fit for settlement and cultivation, or for other similar purposes. There should be legislation providing under what circumstances land or property of the State may be subject to taxes or special assessments and clarifying and defining the nature of the obligation which may rest upon the said lands by reason of such taxes or special assessments.

"C" In many instances State lands have been or are now subject to special assessments or taxes levied upon them. The State in the ordinary sense is not a tax payer, hence the State in the ordinary sense is not required to ascertain whether or not taxes are imposed upon its property. Instances have occasionally occurred where, without the knowledge of the State or of the State department holding such land or property, taxes have been assessed against said lands, and through lack of information that such taxes had been assessed and were due and payable, the said lands of the State became delinquent and were sold for taxes, thereby jeopardizing the State's proprietorship in its property. There should be a law correcting this situation as far as may be, by providing that when lands owned by the State are included within special taxing districts and are subject to taxes, notice shall be given to the State or State department owning said lands that taxes are due, in order that the same may be paid.

"D" There are upon the statute books sections 1073, 1074 and 1075, Revised General Statutes, authorizing, under certain conditions, the sale of State lands at the price of 25c per acre. These old statutes have become obsolete and lead to misapprehension and confusion in attempt to purchase State lands by individuals, and to a degree are indirectly in conflict with other certain statutes relating to the sale or purchase of State lands. A law should be passed repealing these obsolete sections.

"E" The Trustees of the Internal Improvement Fund have made land sales from time to time, accepting partial payment thereon and have retained mortgages secured by notes for the payment of the balance. The Trustees now hold approximately Three Million Dollars of notes secured by mortgages of the above kind, most of which are in a state of delinquency. Since the sale was accompanied by the delivery of deed to purchaser, the lands immediately went on the tax books for all taxes. The taxes in many cases have not been paid by the purchaser, who likewise is generally in default on payments of the purchase price. These taxes in many instances have accumulated in such large amounts that the Trustees for all practical purposes cannot foreclose upon these lands for recovery of the same because the taxes are more than the lands are worth, or because the Trustees have not sufficient funds to pay them. It does not appear that the State should be dispossessed of its holdings through failure on the part of the purchaser, who holds the record title, to pay taxes upon lands, the equitable title to which remains in the State. Unless remedy is provided by law, there are many cases where, by reason of delinquencies of the above character, lands will be lost to the State and the investment of money in them likewise lost to the purchaser. It is advisable that a law be enacted authorizing the Trustees of the Internal Improvement Fund to foreclose upon these lands, subject to liens for taxes, and further providing for adjustment of tax liens upon such lands as may become reinstated in the Trustees. Such a law will result in a large saving of lands to the State, and a saving of money to purchasers having invested in such lands who have not completed their payments.

"F" There is no law upon the statute books which charges any State agency with the duty of protecting or preventing damage or depredation upon the lands of the State. A law should be passed vesting this as a responsibility upon a proper State department to the end that the property of the State may be protected and conserved for the use of all the people in common.

"G" The State of Florida owns large areas of lands. These lands are held for the benefit of the public. In recent years it has been ascertained that many areas owned by the State contain valuable deposits of sand, shell, gravel, clays, or other minerals or substances of value. The value of the land in many instances is not disclosed by its character at the surface. The making of investigations and explorations of these lands will greatly assist in determining their real value, will aid in developing the State's land resources, and will result in a larger return to the State from the lands or products in, on or under the same. There should be a law authorizing

the proper State agency to make surveys or explorations of State lands for the above purpose.

Bills covering the above subjects offered at the regular session of the Legislature received unanimous approval of the Committees of the Senate and of the House to which the said bills were referred. All were passed in the Senate, with no dissenting vote against one, with one dissenting vote against five, and with two dissenting votes against the other. They did not come up for final disposition in the House.

I transmit herewith bills covering the subjects as listed above, which are identical with those offered at the regular session, and recommend that they receive your favorable consideration.

Respectfully,
DOYLE E. CARLTON,
Governor of Florida.

By Senator Young—

Senate Bill No. 81-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act relating to the disposition of proceeds from State Lands.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 81-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 81-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, Knabb, Lewis, Neel, Parker, Swearingen, Taylor, Turner, Wagg, Watson, Young—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 82-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act providing when and under what circumstances and conditions State Lands or Property may be subject to taxes or assessments, providing for approval of such taxes and assessments by the State Agency or Department of State in which title to such State Lands or Property may be vested; providing that such taxes or assessments shall be an obligation only against the State Lands or Property; and providing that this Act shall not apply to State Lands or Property now subject to taxes or assessments in taxing districts or special taxing districts created prior to the time that this Act becomes effective.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 82-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 82-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, Knabb, Lewis, Neel, Stewart, Swearingen, Taylor, Wagg, Watson, Young—29.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 83-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act providing for notice to the State or State Agency of taxes or special assessments against property of the state or state agency and determining the effect upon such taxes and assessments for failure to give such notice.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 83-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 83-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Gary, Getzen, Harris, Harrison, Hinely, Hodges, Irby, Johns, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 84-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act to repeal Sections 1073, 1074 and 1075 of the Revised General Statutes of Florida, being Sections 1404, 1405 and 1406 respectively of the Compiled General Laws of 1927, relative to the purchase of lands of the Internal Improvement Fund by heads of families.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 84-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 84-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Gary, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, King, Knabb, Lewis, Neel, Parrish, Swearingen, Taylor, Turner, Wagg, Watson, Young—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 85-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act to preserve the equity or interest of the State of Florida, or any State agency, in the sale of State lands or other State property; to provide for foreclosure; to fix the status of liens for taxes or assessments on such lands or property, and to provide for subsequent sales thereof.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 85-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 85-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, King, Knabb, Lewis, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—34.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 86-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act authorizing and charging the trustees of the Internal Improvement Fund with the supervision of State lands not vested in some other State agency; authorizing the trustees to protect said lands and to bring certain suits in connection therewith; authorizing the State of Florida to join with the said trustees in certain matters relating to said lands; and charging prosecuting officers with certain duties in connection with said lands.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 86-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 86-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, King, Lewis, Parrish, Taylor, Turner, Wagg, Watson, Young—29.

Nays—Senators Gomez, Parker, Stewart—3.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Young—

Senate Bill No. 87-X, which the Chair ruled came within the purview of the Governor's call and pursuant to the above message from the Governor:

A bill to be entitled An Act authorizing the Trustees of the Internal Improvement Fund of the State of Florida to make surveys and explorations on lands or products thereof belonging to the State of Florida and authorizing expenditures therefor and authorizing co-operation of the Geological Survey or other State agency therein.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 87-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 87-X was read a second time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 87-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 87-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, Futch, Gary, Getzen, Harris, Harrison, Hilburn, Hinely, Irby, Johns, King, Knabb, Lewis, Parker, Stewart, Taylor, Turner, Wagg, Watson, Young—30.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Chowning to introduce and have considered the following bill:

Senate Bill No. 88-X:

A bill to be entitled An Act to extend the corporate limits of the City of DeLand, a municipality located in Volusia County, Florida, to describe and to define the territory embraced and included within the extended corporate limits of said City of DeLand, to give the said City of DeLand jurisdiction over the territory embraced in such extension, to render the taxable property in said territory liable for municipal taxes for the year A. D. 1932, and all subsequent years, and to provide for the assessment and collection of municipal taxes on the taxable property in said territory for the year A. D. 1932, and all years subsequent to the year A. D. 1932.

Which was read the first time by its title only.

Senator Chowning moved that the rules be waived and Senate Bill No. 88-X be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 88-X was read a second time by its title only.

Senator Chowning moved that the rules be further waived and Senate Bill No. 88-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 88-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—36.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By a two-thirds vote, permission was given to Senators Harrison and Butler to introduce and have considered the following bill:

Senate Bill No. 89-X:

A bill to be entitled An Act for the protection of black bass and prescribing penalties for violation thereof.

Which was read the first time by its title only.

Senator Harrison moved that the rules be waived and Senate Bill No. 89-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 89-X was read a second time in full.

Senator Harrison moved that the rules be further waived and Senate Bill No. 89-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 89-X was read a third time in full.

Senator Neel moved that the rules be waived and the further consideration of Senate Bill No. 89-X be informally passed, the bill to retain its place on the Calendar of Bills on third reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Parrish moved that the rules be waived and the Senate do now take up the consideration of Messages from the Governor.

Which was agreed to by a two-thirds vote.

And it was so ordered.

MESSAGES FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 9, 1931

Honorable R. A. Gray,

Secretary of State.

Sir:

Pursuant to authority vested in me as Governor, under the provisions of Section 28, Article III of the Constitution of Florida, I transmit to you with my objections thereto, Senate Bill No. 541, the same having originated in the Senate, Regular Session of 1931, and being entitled as follows:

An Act Creating the State Board of Accountancy in This State; Providing for the Appointment of the Members of Such Board, Fixing Their Term of Office, Prescribing the Powers of Such Board and Defining Its Duties; Providing for the Issuance of Certificates to Practice as Certified Public Accountants to Persons Who Shall Comply with the Terms of This Act; Regulating the Practice of Public Accounting in This State; Defining What Shall Constitute the Practice of Public Accounting; Authorizing Rules and Regulations and Requiring Such Board to Promulgate Canons of Professional Ethics; Providing for the Revocation and Suspension of Certificates Held by Public Accountants and Certified Public Accountants; Prescribing Penalties for Violating the Provision of This Act.

I am withholding my approval of this bill for the following reasons:

Section 30, which was apparently introduced by way of an amendment, sets up arbitrary standards without regard to the technical requirements of a Certified Public Accountant and accomplishes results evidently never intended by the bill and virtually destroys its purpose.

Section 30 provides—"The Board shall issue a certificate, authorizing the holder thereof to practice as a Certified Public Accountant, to any member of the American Legion of good moral character or to any person enrolled to practice with the United States Treasury Department, who has had eight (8) years substantial accounting experience and who has been a resident of the State of Florida for 5 years; provided that such persons apply to the Board for such certificate within thirty (30) days subsequent to the passage of this Act."

Under the first classification membership in the American Legion and a good moral character are the only requirements. These are most worthy qualifications but do not meet the professional standards of a Certified Public Accountant any more than they would prepare one for the practice of law, medicine, engineering, or any other profession.

Under the second classification, one might be admitted to practice with the United States Treasury Department and have eight years substantial accountancy experience with five years residence in Florida and yet be far short of the standards of a Certified Public Accountant.

In the third place it provides that one taking advantage of these exemptions must apply within thirty days subsequent to the passage of this Act. If these provisions are good, it is unnecessary to limit their application to thirty days within which few people will learn of them. The bill might serve certain individuals or certain classes who might know of this provision and yet be of little advantage to the applicants as a whole and would certainly result in lowering the standards of the profession of Accountancy.

Respectfully yours,

DOYLE E. CARLTON.

Office of the Secretary of State,
Tallahassee, Fla., June 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

In conformity with the requirement of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed Act with the governor's objections attached thereto, viz:

(Senate Bill No. 541):

An Act creating the State Board of Accountancy of this State; providing for the appointment of the members of such board, fixing their term of office, prescribing the powers of such board and defining its duties; providing for the issuance of certificates to practice as certified public accountants to persons who shall comply with the terms of this Act; regulating the practice of public accounting in this State; defining what shall constitute the practice of public accounting; authorizing the state board of accountancy to prescribe rules and regulations and requiring such board to promulgate canons of professional ethics; providing for the revocation and suspension of certificates held by public accountants and certified public accountants; prescribing penalties for violating the provisions of this Act.

Yours very truly,

R. A. GRAY,

Secretary of State.

Senator Watson moved that the rules be waived and the Senate do now take up the consideration of the Governor's veto to Senate Bill No. 541, contained in the above message.

Which was agreed to by a two-thirds vote.

And it was so ordered.

The question was put: "Will the bill pass, the Governor's veto to the contrary notwithstanding?"

Upon the passage of the bill, the Governor's veto to the contrary notwithstanding, the roll was called and the vote was: Yeas—None.

Nays—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

So the bill failed to pass over the Governor's veto.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 12, 1931.

Hon. R. A. Gray,
Secretary of State.
Capitol.

Sir:

Pursuant to authority vested in me as Governor, under the provisions of Section 28 of Article III of the Constitution of Florida, I transmit to you with my objections thereto, Senate Bill No. 153, the same having originated in the Senate, Regular Session of 1931, and being entitled as follows:

"An Act to provide and prescribe regulations for the conduct and operation of laundries, cleaning establishments, pressing clubs, and similar businesses; for the creation of a board of laundry supervisors, with powers, duties and authority thereof; and prescribing penalties for violation of said regulations."

I am withholding my approval of this Bill for the following reasons:

It does not appear that this Bill ever passed or was even voted upon in the House. On the contrary the purported message from the House of Representatives to the Senate advising of the passage of the Bill by the House has the earmarks of a complete forgery. I attach herewith a photostatic copy of a message from the House together with a certificate from the Chief Clerk of the House which appears to establish these facts. This is a matter of such serious consequence as to invite the most rigid inquiry on your part. I recommend, therefore, that investigation be made and appropriate punishment dealt to guilty party if guilt is established.

Very respectfully,

DOYLE E. CARLTON.

Office of the Secretary of State,
Tallahassee, Fla., June 15, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

In conformity with the requirement of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed Act with the Governor's objections attached thereto, viz:

(Senate Bill No. 153):

An Act to provide and prescribe regulations for the conduct and operation of laundries, cleaning establishments, pressing clubs and similar businesses; for the creation of a board of laundry supervisors, with powers, duties and authority thereof; and prescribing penalties for violation of said regulations.

The veto message while addressed to the Secretary of State for transmission, the recommendation therein was of course for the legislature.

Yours very truly,

R. A. GRAY,

Secretary of State.

Senator Parrish moved that the rules be waived and the Senate do now take up the consideration of the Governor's veto to Senate Bill No. 153, contained in the above message.

Which was agreed to by a two-thirds vote.

And it was so ordered.

The question was put: "Will the bill pass, the Governor's veto to the contrary notwithstanding?"

Upon the passage of the bill, the Governor's veto to the contrary notwithstanding, the roll was called and the vote was: Yeas—None.

Nays—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

So the bill failed to pass over the Governor's veto.

Senator Parrish moved that a committee be appointed to investigate the passage of Senate Bill No. 153, pursuant to the message from the Governor.

Which was agreed to.

And the Chair appointed Senators Parrish, Anderson, Neel, Butler and Futch as such committee.

Senator Watson moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 60-X out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 60-X:

A bill to be entitled An Act authorizing the Comptroller of the State of Florida to settle with the Clerk of the Circuit Court, Dade County, Florida, for certain tax funds.

Was taken up and read a second time in full.

Senator Watson moved that the rules be further waived and Senate Bill No. 60-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 60-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bell, Bradshaw, Chowning, Clarke, Council, Dell, English, Gary, Gomez, Harris, Hinely, Hodges, Irby, King, Knabb, Lewis, Neel, Parker, Parrish, Swearingen, Taylor, Turner, Wagg, Watson, Young—27.

Nays—Senators Anderson, Caro—2.

So the bill passed by the two Constitutional two-thirds vote, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Watson moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 61-X out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 61-X:

A bill to be entitled An Act for the relief of Thomas S. Ferguson, individually, and as Justice of the Peace, of the Third Justice District, Dade County, Florida.

Was taken up and read a second time in full.

Senator Watson moved that the rules be further waived and Senate Bill No. 61-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 61-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Butler, Chowning, Clarke, Council, Dell, Futch, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, King, Knabb, Parker, Parrish, Stewart, Taylor, Turner, Wagg, Watson, Young—27.

Nays—Senator Anderson—1.

So the bill passed by the Constitutional two-thirds vote, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Watson moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 62-X out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 62-X:

A bill to be entitled An Act for the relief of A. O. Moore, individually, and as Justice of the Peace, of the Eighth Justice District of Dade County, Florida.

Was taken up and read a second time in full.

Senator Watson moved that the rules be further waived and Senate Bill No. 62-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 62-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Chowning, Clarke, Council, Dell, Futch, Gary, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, King, Knabb, Lewis, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—28.

Nays—Senator Anderson—1.

So the bill passed by the Constitutional two-thirds vote, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Harris moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 47-X out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 47-X:

A bill to be entitled An Act to provide a simplified method

for allowing and disallowing claims for preference in the distribution of the assets of insolvent banking institutions in the State of Florida, and providing for a form of judicial proceedings for adjudicating and determining the same, and making the provisions of this Act relative to judicial proceedings applicable to the determination of all claims for preference which are not in actual litigation at the time this Act takes effect.

Was taken up and read a second time in full.

Senator Harris moved that the rules be further waived and Senate Bill No. 47-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 47-X was read a third time in full.

Pending the consideration of the passage of the bill, Senator Harris moved that the rules be waived and the hour of recess be extended 5 minutes.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Clarke, Council, Dell, Futch, Gary, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—30.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

The hour of recess having arrived, a point of order was called and the Senate stood recessed at 1:05 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate convened at 3:00 o'clock P. M., pursuant to recess order.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

A quorum present.

By permission the following Committee Report was received:

REPORT OF COMMITTEE

Senator Gomez, Chairman of the Committee on Miscellaneous Legislation, submitted the following report:

Senate Chamber,
Tallahassee, Florida, June 15th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Miscellaneous Legislation, to whom was referred:

Senate Bill No. 69-X:

A bill to be entitled An Act to provide for inspection and analyses of lubricating oils; to empower the Commissioner of Agriculture to define methods of analysis and promulgate regulations; to authorize the collection of an inspection fee; to declare a rule of prima facie evidence; to prevent fraud or misrepresentation in the distribution or sale of lubricating oils; to provide for methods of enforcement of this Act and penalties for the violation thereof.

Reports the same favorable with the following amendments:

Strike out all of Section 7 and all of Section 8 and insert new Section 7 to read as follows:

Section 7. The inspection provided for under the terms of this Act shall be performed by the regular inspectors charged with the duty of inspecting gasoline and the expenses incident to the enforcement of this Act shall be paid from the general Inspection Fund.

In Title, strike out the words "To authorize the Collection of an Inspection Fee".

Renumber Sections 10, 11, 12, 13, 14 and 15 to read "Sections 8, 9, 10, 11, 12, 13 and 14".

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

ARTHUR GOMEZ,

Chairman of Committee.

And Senate Bill No. 69-X, with Committee Amendments, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission the following resolutions were introduced:

By Senator Stewart—
Senate Resolution No. 8-X:

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the Comptroller of the State of Florida is requested to furnish the Senate with a complete and specific statement of the present financial condition of the State Treasury and to furnish same at his earliest convenience.

That such statement shall contain:

FIRST. Stating the amount of money owing by the State, in its various departments, in unpaid warrants and other evidences of obligations held by banks or individuals, and stating the name of said banks and individuals.

SECOND. The amount of accounts and other obligations owed by the State of Florida.

THIRD. The amount of money transferred from one account to another in order to meet certain obligations, naming separately those transferred in the administration starting January 1, 1925, and the administration starting January 1, 1929, to date.

FOURTH. Naming the cash balance on hand in the State Treasury, and stating in which funds these moneys belong.

FIFTH. Stating the amount of State funds in closed banks, itemizing same, and stating names of banks and the security covering same.

SIXTH. Give estimate of how long various Departments can operate without immediate new funds.

Which was read.

Senator Stewart moved the adoption of the Resolution.

Upon which a roll call was demanded.

Upon the adoption of the Resolution the roll was called and the vote was:

Yeas—Senators Bradshaw, Caro, Dell, English, Futch, Gary, Hilburn, Irby, Knabb, Lewis, Stewart—11.

Nays—Mr. President; Senators Adams, Anderson, Andrews, Bell, Butler, Chowning, Clarke, Council, Gomez, Harris, Harrison, Hodges, Howell, Johns, Neel, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—23.

Which was not agreed to.

By Senator Parrish—

Senate Resolution No. 9-X:

WHEREAS there has heretofore been appointed a Committee by the President of the Senate, as requested by the Governor, for a complete investigation in regard to the passage and handling of Senate Bill No. 153,

WHEREAS it is necessary in order to conduct a thorough and intelligent investigation in connection with said bill, that said Committee be authorized and empowered to issue witness subpoenas and summons persons to appear before said Committee as witnesses, and with authority to request the production of papers and documents, also to prescribe rules of evidence governing said investigation, and with authority to employ such clerical assistance and incur such other necessary expenses in connection therewith as may be necessary in the conduct of said investigation, as well as the authority to compel the attendance of persons or witnesses summonsed before said Committee, and also to fix the per diem and mileage of all persons summonsed as witnesses for their attendance before said Committee,

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

THAT the Special Committee appointed by the President of the Senate to investigate the passage of Senate Bill No. 153 through both Houses of the Legislature of the State of Florida, are hereby empowered and authorized to issue subpoenas and summons persons to appear before said Committee as

witnesses, and with authority to request production of all papers and documents, and also to prescribe the rules of evidence governing said investigation, and with authority to employ clerical assistance in connection therewith as may be necessary to the conduct of said investigation and secure and have made photostatic or typewritten copies of all necessary charges, papers and other documents as well as authority to compel the attendance of persons or witnesses summonsed before said Committee and also to fix the per diem and mileage of all persons or witnesses summonsed before said Committee and to make a complete report to the Senate of the State of Florida, of its findings together with any and all recommendations which to the Committee may appear pertinent and proper in the premises.

Which was read.

Senator Parrish moved the adoption of the Resolution.

Which was agreed to.

And Senate Resolution No. 9-X was adopted.

By permission the following bills were introduced.

By a two-thirds vote, permission was given to Senators Butler, Harrison and Turner to introduce and have considered the following bill:

Senate Bill No. 90-X:

A bill to be entitled An Act to amend Section 43 of Chapter 13644, Laws of Florida 1929, being Section 1977 of 1930 Supplement to Compiled General Laws of Florida 1927, relating to the open deer season.

Which was read the first time by its title only.

Senator Turner moved that the rules be waived and Senate Bill No. 90-X be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By a two-thirds vote, permission was given to Senators Johns and Clarke to introduce and have considered the following bill:

Senate Bill No. 91-X:

A bill to be entitled An Act relating to the levy, collection and distribution of an additional tax of one cent per gallon upon sales of gasoline.

Which was read the first time by its title only.

Senator Johns moved that the rules be waived and Senate Bill No. 91-X be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By a two-thirds vote, permission was given to Senator Caro to introduce and have considered the following bill:

Senate Bill No. 92-X:

A bill to be entitled An Act relating to the business of building and loan associations.

Which was read the first time by its title only.

Senator Caro moved that the rules be waived and Senate Bill No. 92-X be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By a two-thirds vote, permission was given to Senator Young to introduce and have considered the following bill:

Senate Bill No. 93-X:

A bill to be entitled An Act designating, declaring and establishing as a State Road a certain Highway in Indian River County, Florida.

Which was read the first time by its title only.

Senator Young moved that the rules be waived and Senate Bill No. 93-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 93-X was read a third time in full.

Senator Young moved that the rules be further waived and Senate Bill No. 93-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 93-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Caro, Chowning, Clarke, Council, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, Knabb, Lewis, Neel, Parker,

Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson Young—35.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Gomez moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 67-X out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 67-X:

A bill to be entitled An Act relating to the redemption in cash or in installment on real property from tax liens and tax certificates for unpaid taxes; providing for the assessment for taxes of the properties on which such tax liens or certificates are being redeemed, and for the procedure in reference thereto.

Was taken up and read a second time in full.

Senator Gomez moved that the rules be further waived and Senate Bill No. 67-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 67-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Caro, Council, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hodges, Howell, Irby, Johns, Lewis, Neel, Stewart, Swearingen, Taylor, Wagg, Watson, Young—27.

Nays—Senators Anderson, Hinely, Parker, Parrish—4.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By unanimous consent Senator Gomez withdrew Senate Bill No. 21-X.

Senator Watson moved that the rules be waived and all bills passed to-day be certified to the House of Representatives immediately.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By a two-thirds vote, permission was given to Senator Gomez to introduce and have considered the following bill:

Senate Bill No. 94-X:

A bill to be entitled An Act to amend Section 741 of the Revised General Statutes of Florida, 1920, being Section 950 of the Compiled General Laws of Florida, 1927, as amended by Section 2 of Chapter 14572, Laws of Florida, Acts of 1929, relating to the time when taxes become due and delinquent, and providing for the payment of same in two equal installments, and requiring the payment of interest on all delinquent taxes, and providing a discount if paid within a certain time.

Which was read the first time by its title only.

Senator Gomez moved that the rules be waived and Senate Bill No. 94-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94-X was read a second time in full.

Senator Gomez moved that the rules be further waived and Senate Bill No. 94-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Caro, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hodges, Howell, Johns, Knabb, Lewis, Neel, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—28.

Nays—Senators Anderson, Clarke, Council, Hinely, Parker, Parrish—6.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Stewart to introduce and have considered the following bill:

Senate Bill No. 95-X:

A bill to be entitled An Act to amend Section 2 of Chapter 10177, Acts of 1925, entitled "An Act to license and regulate the business of making loans in certain counties in sums of

Three Hundred (\$300) Dollars or less, secured or unsecured, at a greater rate of interest than Ten Per Centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan."

Which was read the first time by its title only.

Senator Stewart moved that the rules be waived and Senate Bill No. 95-X be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By a two-thirds vote, permission was given to Senator Futch to introduce and have considered the following bill:

Senate Bill No. 96-X:

A bill to be entitled An Act to amend Section 5297 Revised General Statutes of 1920, being Section 7418 Compiled General Laws of Florida 1927, relating to the destruction and injury of telegraph or telephone lines.

Which was read the first time by its title only and referred to the Committee on Miscellaneous Legislation.

By a two-thirds vote, permission was given to Senator Watson to introduce and have considered the following bill:

Senate Bill No. 97-X:

A bill to be entitled An Act to authorize and empower any drainage district legally organized under the Laws of the State of Florida located in any county in the State of Florida, having a population of not less than One Hundred and Forty Thousand according to the last Federal census, to compromise, settle and adjust taxes and/or liens either for cash or bonds or other obligations of the drainage district.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 97-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97-X was read a second time in full.

Senator Watson moved that the rules be further waived and Senate Bill No. 97-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Harrison to introduce and have considered the following bill:

Senate Bill No. 98-X:

A bill to be entitled An Act making an appropriation for the maintenance and upkeep of Gamble Mansion, located at Ellenton, in Manatee County.

Which was read the first time by its title only.

Senator Harrison moved that the rules be waived and Senate Bill No. 98-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98-X was read a second time in full.

Senator Harrison moved that the rules be waived and Senate Bill No. 98-X be read a third time in full and put upon its passage.

Which was not agreed to.

And the bill was ordered to be placed on the Calendar of Bills on third reading.

By a two-thirds vote, permission was given to Senator Council to introduce and have considered the following bill:

Senate Bill No. 99-X:

A bill to be entitled An Act to authorize, and direct the State Road Department to construct a connection from State Road No. 10 to Arran, in Wakulla County, Florida, in connection with the construction of State Road No. 10, as a part of the State Highway system.

Which was read the first time by its title only.

Senator Council moved that the rules be waived and Senate Bill No. 99-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99-X was read a second time in full.

Senator Council moved that the rules be further waived and Senate Bill No. 99-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Hinely, Hodges, Howell, Irby, Johns, Knabb, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By unanimous consent Senator Adams withdrew Senate Bill No. 50-X.

By a two-thirds vote, permission was given to Senator Council to introduce and have considered the following bill:

Senate Bill No. 100-X:

A bill to be entitled An Act to re-designate and re-establish State Road No. 127.

Which was read the first time by its title only.

Senator Council moved that the rules be waived and Senate Bill No. 100-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100-X was read a second time in full.

Senator Council moved that the rules be further waived and Senate Bill No. 100-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Hodges, Howell, Irby, Johns, Knabb, Parrish, Stewart, Taylor, Turner, Wagg, Young—27.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 101-X:

A bill to be entitled An Act relating to the government and powers of the City of Tampa, and to provide the creation of a city planning and zoning board, and to prescribe the jurisdiction and powers of said board.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 101-X be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 101-X was read a second time by its title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 101-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 101-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 102-X:

A bill to be entitled An Act relating to the purchase of supplies and property used by the several departments of the City of Tampa, Florida, and contracts for printing.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 102-X be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 102-X was read a second time by its title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 102-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 102-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gray, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 103-X:

A bill to be entitled An Act to provide for the relief of the needy blind.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 103-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103-X was read a second time in full.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 103-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Harris, Harrison, Hilburn, Hodges, Howell, Irby, Johns, Parker, Parrish, Swearingen, Taylor, Turner, Wagg, Young—30.

Nays—Senator Knabb—1.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 104-X:

A bill to be entitled An Act creating the office of official interpreter for the State Board of Medical Examiners; providing the qualifications, the method of appointment, the term of office, and the duties of said official interpreter; and providing that said official as interpreter shall receive no compensation, but shall be reimbursed for his actual expenses, and providing for the method of payment.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 104-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 104-X was read a second time in full.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 104-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 104-X was read a third time in full.

By unanimous consent Senator Whitaker offered the following amendment to Senate Bill No. 104-X:

In line 10 of Section 1, after the word "State" insert the following: "Upon the recommendation of the Board of Medical Examiners of Florida."

Senator Whitaker moved the adoption of the amendment. Which was agreed to. And the amendment was adopted.

The question recurred on the passage of the bill. Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Caro, Chowning, Council, Dell, Futch, Gary, Harris, Harrison, Hilburn, Hodges, Howell, Irby, Knabb, Parrish, Stewart, Wagg, Watson, Young—24.

Nays—Senators Johns, Neel, Parker—3.

So the bill passed, as amended, title as stated.

And the same was ordered to be referred to the Committee on Engrossed Bills.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 105-X:

A bill to be entitled An Act to amend Section 6932 of the Compiled General Statutes of Florida of 1927; same being Section 4846 of the Revised General Statutes of 1920. Relating to designation of holidays.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 105-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105-X was read a second time in full.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 105-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hodges, Howell, Irby, Johns, Knabb, Stewart, Turner, Wagg, Watson, Young—27.

Nays—Senators Futch, Neel, Taylor—3.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Whitaker to introduce and have considered the following bill:

Senate Bill No. 106-X:

A bill to be entitled An Act to grant a pension to William M. Youmans, of Hillsborough County, Florida.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 106-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 106-X was read a second time in full.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 106-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 106-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Council, Dell, English, Futch, Gary, Gomez, Harris, Harrison, Hodges, Howell, Irby, Johns, Knabb, Parrish, Stewart, Taylor, Wagg, Watson, Young—27.

Nays—Senator Anderson—1.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senator Stewart to introduce and have considered the following bill:

Senate Bill No. 107-X:

A bill to be entitled An Act to make it unlawful to remove the heads from off shrimp or prawn on the fishing ground where the same are caught or commonly run; and providing penalties for the violation of this Act.

Which was read the first time by its title only.

Senator Stewart moved that the rules be waived and Senate Bill No. 107-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107-X was read a second time in full.

Senator Stewart moved that the rules be further waived

and Senate Bill No. 107-X be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107-X was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Anderson, Andrews, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Gomez, Harris, Harrison, Hilburn, Hodges, Irby, Johns, Neel, Parrish, Stewart, Wagg, Watson, Young—27.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By a two-thirds vote, permission was given to Senators Gomez and Bell to introduce and have considered the following bill:

Senate Bill No. 108-X:

A bill to be entitled An Act to amend Section 1 of Chapter 13844, Laws of Florida, Acts of 1929 entitled "An Act to declare, designate and establish a certain State Road and to authorize and empower the State Road Department to construct and maintain State Road Number 26A"; to change the number of said road to number 164 and to name the same the "Bob Bentley Highway."

Which was read the first time by its title only.

Senator Gomez moved that the rules be waived and Senate Bill No. 108-X be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 108-X was read a second time in full.

Senator Adams offered the following amendment to Senate Bill No. 108-X:

Add the following: Provided that the construction on the aforesaid road shall begin as soon as possible when that stage of construction has been reached on Roads 1 to 5 inclusive, 8 and 17, 19, 5A, 10, 11, 13, 15, 20, 28, and 47, when labor and equipment may be transferred from the roads mentioned in this proviso that will not delay the construction of such roads mentioned in this proviso.

Senator Adams moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Adams Senator Bell moved that the amendment be laid on the table.

Upon which a roll call was demanded.

Upon the adoption by the motion offered by Senator Bell the roll was called and the vote was:

Yeas—Senators Bell, Bradshaw, Caro, Dell, English, Futch, Getzen, Gomez, Harris, Hodges, Stewart, Wagg, Young—13.

Nays—Mr. President; Senators Adams, Anderson, Andrews, Butler, Chowning, Clarke, Council, Gary, Hilburn, Hinely, Howell, Irby, Knabb, Neel, Parker, Taylor, Turner, Watson—19.

Which was not agreed to.

The question recurred on the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

And Senate Bill No. 108-X was ordered to be referred to the Committee on Engrossed Bills.

Senator Butler moved that the rules be waived and the Senate do now take up the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

And it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., June 12, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. John E. Mathews of Duval County, M. F. Caldwell of Santa Rosa County, G. P. Wood of Liberty County, W. J. Steed of Osceola County, Mrs. Edna G. Fuller of Orange County, H. V. Taylor of Gadsden County, Ernest W. Mason of Escambia County, I. N. Kennedy of Lake County, A. O. Kan-